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## Introduction

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# **THE SEVENTEENTH ANNUAL EMORY BANKRUPTCY DEVELOPMENTS JOURNAL SYMPOSIUM**

## **INTRODUCTION**

For seventeen years in a row, the *Emory Bankruptcy Developments Journal* hosts an annual Symposium in the spring. This year, on February 20, 2020, the Journal hosted an impressive Symposium. This event would not have been possible without the instrumental support of our wonderful faculty advisor Robert Schapiro, the *Journal's* Advisory Board, our sponsoring firms, the Emory University School of Law staff, and all past and present EBDJ members. This Symposium is an important platform for the *Journal* as it allows us to engage with the community and discuss some of the most important issues in bankruptcy.

This year's Symposium featured two panels, one consumer bankruptcy panel and one corporate bankruptcy panel. Conversations on the consumer panel centered around the relevance of bankruptcy for the average consumer and how the system could be improved. The corporate panel explored the idea that the practice of bankruptcy over the last 150 years has developed unwritten laws. This Symposium featured panelists who are among the world's most prominent bankruptcy scholars. We chose one professor to act as an anchor for each panel, and the other panelists were tasked to provide commentary on the professors' ideas.

The first panel to take the stage was the Consumer Panel, led by Professor Nathalie Martin from the University of New Mexico School of Law. The bulk of this panel discussed the notion that the Bankruptcy Code, when drafted, did not effectively cover many of issues faced by the average consumer today. The astronomical increases in student loan debt, credit card debt, mortgages, and car payments are some of the key issues discussed by the panel. We were so fortunate to have the Honorable Sage Sigler, U.S. Bankruptcy Court, Northern District of Georgia, former member and Symposium Editor of the Journal, act as the moderator for the Consumer Panel. Her experience as both a judge and a practitioner in the bankruptcy arena combined with the panelists' knowledge and expertise provided for a very insightful and thoughtful discussion.

In between the two panels, we were honored to have the Honorable Wendy L. Hagenau, Chief Bankruptcy Judge of the U.S. Bankruptcy Court for the Northern District of Georgia, serve as our keynote speaker. This tradition of

having a keynote speaker started last year, and we are happy to keep it alive. Judge Hagenau provided a great perspective on the importance of bankruptcy law, and her experience in the field and passion for helping people. It was a truly special opportunity to host her and learn from her experience.

The second panel was the Corporate Panel, led by Professor Douglas Baird from the University of Chicago Law School. We were fortunate enough to have the impressive Sarah R. Borders act as the moderator of this panel. The discussion however, did not require much moderating; the panelists were familiar with one another and the discussion was absolutely entertaining. The panel was divided into two schools of thought: those who felt like the Code solely governed the practice of corporate bankruptcy, and those who felt like there was a set of unwritten rules created over the last 150 years that pulled the strings.

What follows is the full transcript of the Symposium, including the Consumer Panel, Keynote Address, and Corporate Panel. Additionally, all of our esteemed panelists wrote essays further explaining their point of view to supplement the panel discussion. The role as the Executive Symposium Editor was an honor to hold, but this could not have been done without several integral people. I would like to personally thank all of the participants in the Symposium, Rhonda Heermans, Amy Marcellana, and all of the staff at the law school. Additionally, I would like to thank our Advisory Board. The Board acts as our bridge to a community of bankruptcy practitioners and scholars who are vital to the *Journal's* success. Finally, I would like to thank Matt Lindgren, Jennie Bass, Yunhui He, Bryan Tehrani, Sarah Banda, Jack Dougherty, Reid Scales, and the rest of our staff members. The Symposium, and this publication, would not be possible without each of you.

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